

Approved August 1, 2016



COLORADO

**Solid & Hazardous
Waste Commission**

Department of Public Health & Environment

Summary of Meeting

May 17, 2016

NOTE: These minutes are a summary of the proceedings and motions of the May 17, 2016 Solid and Hazardous Waste Commission meeting. The complete and accurate record is the digital recording of the meeting, available in the Solid and Hazardous Waste Commission Office, Colorado Department of Public Health and Environment, Building A, 5th Floor, 4300 Cherry Creek Drive South, Denver, CO 80246. Any documents referred to in this summary are available by contacting the commission office.

Commissioner Neumann, called the meeting to order at approximately 9:30 a.m.

Members present:

John Kehoe, Regulated Industry; Garrett Clemons, Public at Large; Christopher Neumann, Chair, Academia; Joseph Prinster, Jr., Vice-Chair, Public at Large; Cameron L. Garcia, Secretary, Local Government (by phone); Michael Dempsey, Regulated Industry; Randall M. Weiner, Public at Large, and James Wilson, Regulated Industry

Members absent:

Charlotte Pitt, Local Government

Staff present:

Mike Silverstein, Commission Administrator; Jennifer Robbins, Assistant Attorney General; and Brandy Valdez Murphy, Commission Assistant

Old Business: - Approval of the February 16, 2016 meeting summary

The commission reviewed the February 16, 2016 meeting summary.

MOVED by Commissioner Prinster and seconded by Commissioner Wilson, to approve the February 16, 2016 meeting summary as written.

Public Comment (for matters not on the agenda)

None.

Rulemaking Hearing:

***New 6 CCR 1010-23 - Rules and Regulations Governing the Colorado Household Medication Take-Back Program**

Greg Fabisiak and Cary Ruble of the Division of Environmental Health and Sustainability presented an overview of proposed new regulations for the Colorado Household Medication Take-Back Program. The new regulation establishes a statewide collection program which would allow the collection of controlled substances. The new program would also establish qualifications, operational and recordkeeping procedures, and security requirements for collectors, transporters, and disposal locations participating in the program. Staff answered various questions from the commission.

Public Comments:

Helen Kaupang, Diversion Group Supervisor, United States Drug Enforcement Administration testified that state program and federal law are not in conflict with each other. She has attended stakeholder meetings and consulted with federal officials.

Robert Valuk, PhD, RPh, Consortium for Prescription Drug Abuse Prevention, testified in support of the proposed regulations. This program may help prevent accidental overdose and responsible disposal of household medications.

Terry Boucher, Colorado Medical Society, testified in support of the proposed regulations.

Jace Driver, Medical Waste Lead, Hazardous Materials and Waste Management Division, testified in support of the proposed regulations. The proposed regulations adhere to the solid waste regulations regarding medical waste.

Commissioner Neumann closed the record and the commission moved into deliberations.

After discussion,

MOVED by Commissioner Prinster and seconded by Commissioner Wilson, to adopt the new 6 CCR 1010-23 - Rules and Regulations Governing the Colorado Household Medication Take-Back Program, and the errata sheet provided, along with the accompanying statement of basis and purpose.

MOTION CARRIED UNANIMOUSLY

Rulemaking Hearing:

***Amendment to 6 CCR 1007-3, Part 6 - Regulations Pertaining to Hazardous Waste - Annual Commission Fee**

Michael Silverstein, commission administrator, described the amendment to the annual commission fees. The modification applies to the fiscal year effective date and does not change the amount of the fees.

Public Comments:

None.

Commissioner Neumann closed the record and the commission moved into deliberations.

After discussion,

MOVED by Commissioner Weiner and seconded by Commissioner Prinster, to adopt the amendments of 6 CCR 1007-3, Part 6 - Regulations Pertaining to Hazardous Waste - Annual Commission Fee, along with the accompanying statement of basis and purpose.

MOTION CARRIED UNANIMOUSLY

New Business:

Informational briefing:

***Coal Combustion Residuals**

Eric Jacobs, Hazardous Materials and Waste Management Division and Kendall Griffin, Assistant Attorney General presented an update on the proposed regulations for coals combustion residuals. The division is currently conducting a stakeholder process that is looking to model the regulations after the new federal requirements. The regulations will apply to industries who operate, or plan to operate, landfills and impoundments that manage residuals generated from the combustion of coal at electric utilities and independent power producers. The division anticipates a rulemaking hearing at the end of 2016 or early 2017.

Informational briefing:

***Beneficial Use of Water Treatment Sludge Repeal (5 CCR 1003-7)**

David Snapp, Materials Management Unit Leader, explained this rule is duplicative and was scheduled to be repealed. Commission staff terminated the hearing due to comments received during the comment period. Staff continued to review the rule and plans to incorporate parts of the rule into Section 8 of the solid waste regulations in the future. He answered several questions from commissioners.

Discussion of offsite meeting:

The commission proposed ideas for an offsite meeting and public comment session outside of the Denver area. Commissioners and staff decided to look into options in the Ft. Collins or Pueblo area.

Election of officers:

The commission held its annual election officers. Commissioner Neumann wished to retain his position as chair. The commission retained him with a unanimous vote. Commissioner Prinster wished to retain his position as vice chair. The commission retained him with a unanimous vote. Nominations were taken for the role of commission secretary. Commissioners Weiner and Wilson were nominated. Commissioner Wilson was elected secretary by a 5-3 vote.

The meeting adjourned at approximately 1:23 p.m.